

**AN ORDINANCE**

**05-O-0039**

**BY: COUNCILMEMBERS C. T. MARTIN, NATALYN ARCHIBONG, H. LAMAR WILLIS AND IVORY LEE YOUNG**

**AS SUBSTITUTED AND AMENDED BY FINANCE/EXECUTIVE COMMITTEE**

**An Ordinance to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298 et seq., as amended by the 1996 Session of the Georgia General Assembly, 1996 Georgia Laws, (O.C.G.A. § 36-35-1 ET SEQ.) as amended, so as to make certain amendments to Section 6-302 of the Charter of the City of Atlanta so as to provide that the Mayor take into consideration the priorities of the City Council in the preparation of the tentative budget; to repeal conflicting ordinances; and for other purposes**

**WHEREAS**, Section 6-302 of the Charter of the City of Atlanta sets out the procedure for the adoption the City's budget; and

**WHEREAS**, the governing body (City Council) is charged with the responsibility of setting policy for the City; and

**WHEREAS**, the success of any policy initiative depends upon adequate budgetary reinforcement; and

**WHEREAS**, it is imperative that the policymakers be involved in the budget preparation process.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows

**Section 1:** That Section 6-302 the Charter of the City of Atlanta, Georgia adopted by the 1996 Georgia General Assembly, 1996 Ga. Laws, as amended (hereinafter in this ordinance referred to as the "City Charter") which reads as follows:

Section 6-302. Adoption of budget.

(a) The mayor shall prepare and submit the proposed annual budget ordinance to the governing body no later than the first regular meeting of the governing body in December, preceding the fiscal year.

(b) The governing body shall hold one or more public hearings on the proposed budget as required by the laws of Georgia, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

(c) The governing body may amend the proposed annual budget, except that the budget as finally amended must provide for all expenditures required by law or by this Charter, including but not limited to debt service, sinking fund, interest on bonded indebtedness and a general fund restricted reserve equal to five percent of the proposed general fund budget which sums shall not be diverted to any other purpose and the total appropriations from any such fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund.

(d) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than the second regular meeting in the second month of each fiscal year.

**be amended to read:**

Section 6-302. Adoption of budget.

**(a) At the first Council meeting in June of each year, each Councilmember may submit his/her budget priorities for the coming year. Such priorities shall be referred to the Finance/Executive Committee, which shall submit these priorities in the form of a resolution to be adopted by the Council no later than the second Council meeting in June. The Mayor, in conjunction with the Chief Financial Officer, may take these priorities into consideration in the preparation of the tentative budget.**

(b) The mayor shall prepare and submit the proposed annual budget ordinance to the governing body no later than the first regular meeting of the governing body in December, preceding the fiscal year.

(c) The governing body shall hold one or more public hearings on the proposed budget as required by the laws of Georgia, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

(d) The governing body may amend the proposed annual budget, except that the budget as finally amended must provide for all expenditures required by law or by this Charter, including but not limited to debt service, sinking fund, interest on bonded indebtedness and a general fund restricted reserve equal to five percent of the proposed general fund budget which sums shall not be diverted to any other purpose and the total appropriations from any such fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund.

(e) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than the second regular meeting in the second month of each fiscal year.

**Section 2:** A copy of this proposed amendment to the Charter of the City of Atlanta (Ga. Laws 1996, as amended) shall be filed in the Office of the Municipal Clerk and in the Offices of the Clerks of the Superior Courts of Fulton and Dekalb Counties and the "Notice of Proposed Amendment to the Charter of the City of Atlanta" attached hereto as Exhibit "A" and by reference, made a part hereto, be published once a week for three weeks in a newspaper of general circulation in the City of Atlanta and in the official organs of Fulton County and Dekalb County, and a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

**Section 3:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.